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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/362,080	07/27/1999	HENRY M. D'SOUZA	27757-403	6404

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EXAMINER

EISEN, ALEXANDER

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 08/11/2004

3)

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/362,080

Applicant(s)

D'SOUZA ET AL.

Examiner

Alexander Eisen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35,36,38-43 and 45-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35,36,38-43 and 45-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 35, 36, 38-43, 45-54 and 55-66 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Independent claims 35, 42 and 49 recite: “a color display device that stores color correction data in an unused portion in a standard memory associated therewith”. This limitation does not have support in the specification. Also, no unused portion in “standard” memory is disclosed in supplemental IDS (VESA standard), all 128 bytes of useful storage area seems to be taken by data describing a monitor.

As to claims 55-66, independent claims 55 and 61 recite “Display Data Channel (“DDC”)”. The specification fails to provide for such limitation. The specification only recites DDC memory and therefore the limitation “Display Data Channel” should not be present in the claim. While DDC is known abbreviation for Display Data Channel, which is basically a communication link between a computer and a display with associated communication protocol, it would not be known what is the DDC memory. While Applicant can be his own lexicographer the term “DDC memory “ is not really a well known combination in the art. The abbreviation

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“DDC”, for example, is also used in the art for Dual-Dielectric Cell memory, and the specification did not particularly and distinctly explained what DDC really stood for.

Examiner suggests to substitute “Display Data Channel (“DDC”)” on every occurrence with either --DDC memory--, i.e. as exactly disclosed in the specification, or --a non-volatile memory-- (specs., page 21), or just --a memory--. Such a substitute would overcome the above rejection.

Similarly, in regards to claims 35, 42 and 49, the replacement “ “an unused portion in a standard memory” by the limitations suggested above, in examiner’s opinion, would overcome the rejection under 35 USC 112(1).

Allowable Subject Matter

3. Claims 25-36, 38-41, 52 (in claim 52 “display data channel (“DDC”) memory” should be corrected appropriately) and 55-60 will be allowable given that the deficiencies under 35 USC 112(1) have been resolved (see above).

4. The following is a statement of reasons for the indication of allowable subject matter: none of the prior art, either singularly or in combination, teach or fairly suggest a color display system comprising a color display device that stores color correction data, comprised of a plurality of coefficients representative of an equation that describes the input-output color characteristic associated with the color display device, into a memory and adapted to load the color correction data from the color display device and create a video signal based on the color correction data.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. As to claims 42, 43, 45-51, 53, 54, 54 and 61-66, if these claims are amended to correct the new subject matter condition as was suggested above, they would be rejected under 35 USC 103(a) as follows:

7. Claims 42, 43, 45-54 and 61-66 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over McManus, US 4,875,032 (reference of record).

With respect to independent claims 42, 49 and 61 McManus discloses a system for computing polynomial equation coefficients to represent an input-output color characteristic of a color display device that can be used further for calculating the look-up tables converting the input signal to a color display into a color brightness displayed on the screen of the color display device.

McManus does not specifically disclose that the polynomial coefficients are stored in a data storage device or memory associated with the color display device, McManus rather discloses that the calculated coefficients are used for calculating look-up tables for each electron gun for consequently storing look-up tables by the computer. But it would have been obvious to one of ordinary skill in the art at the time when the invention was made that the polynomial coefficients to be used for calculation of the correction tables have to be stored in some memory,

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and obviously that memory can be rightfully considered as associated with the color display device.

As to claims 43, 50 and 62 the color display device is adapted to receive the video signal from a computer system.

As to claims 45, 58 and 64, the equation comprises polynomial equation.

As to claims 48, 60 and 66, the display device is of CRT type and can be of any well known standards, such as VGA including.

Response to Arguments

8. Applicant's arguments filed 01 June 2004 have been fully considered but they are not persuasive.

Applicant argues that the limitation ““an unused portion in a standard memory” is clearly supported by the Applicant's specification”[sic]. As a proof Applicant recites the following emphasized passage from the specification: *In the exemplary method and apparatus the coefficients are stored in the DDC memory 214 located within the color display device.*

Examiner respectfully disagrees that this disclosure teaches the limitation in question.

Applicant further argues that “The term “DDC memory” is clearly known and understood in the art as a “standard memory”. As an additional support Applicant recites the definition of the acronym DDC from Microsoft Computer Dictionary, but there is no a single word related to “memory” in this definition. DDC means Display Data Channel and is a communication channel as such, it quite rarely is used in conjunction with the term “memory”.

The next Applicant's argument is related to “unused portion” in a standard memory. Applicant asserts, as an example, that two reserved bytes for a product ID can be used for storing

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the coefficients. Examiner respectfully disagrees. The two bytes of memory would be hardly enough to store at least twelve coefficients (see spec.; page paragraph [0023], Attachment to Substitute Specification, paper #16).

In view of the above the rejection of claims is maintained.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Eisen whose telephone number is (703) 306-2988. The examiner can normally be reached on M-F (8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe can be reached on (703) 305-4709. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Alexander Eisen', with a stylized flourish at the end.

Alexander Eisen
Primary Examiner
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9-Aug-04